

APR 01 2004

Modified PTO/SB/30 (08-03)

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number **09/972,268**
Filing Date **October 5, 2001**
First Named Inventor **Peter R. Baum**
Art Unit **1644**
Examiner Name **Maher M. Haddad**
Attorney Docket Number **3101-A**

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: **form PTO-1449**

2. Miscellaneous

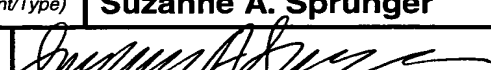
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees (The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.)

- a. ☒ The Director is hereby authorized to charge the following fees as well as any additional fees which may be required, or credit any overpayments, to Deposit Account No. **09-0089**.
- i. ☒ RCE fee required under 37 CFR 1.17(e) in the amount of **\$770.00**
- ii. ☒ 3 month Extension of time fee (37 CFR 1.136 and 1.17) in the amount of **\$950.00**. If additional extension of time is required, please consider this a request therefore.
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) **Suzanne A. Sprunger** Registration No. (Attorney/Agent) **41,323**
Signature  Date **4-1-04**

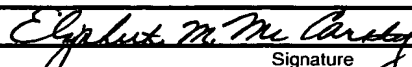
EXPRESS MAIL CERTIFICATE

"Express Mail" label number: **EV 438678115 US** Date of Deposit: **April 1, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Elizabeth M. McCarthy

Printed Name



Signature

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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02 FC:1253 950.00 DA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
Peter R. Baum et al.

Docket No.: 3101-A

Serial No.: 09/972,268

Filing Date: October 5, 2001

For: NECTIN POLYPEPTIDES

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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I hereby certify that the following correspondence is enclosed and is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date listed below, and is addressed to Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

- Postcard
- Request for Continued Examination with Extension of Time (+1)
- RCE with Appendix A and Exhibit 1 (29 pages)
- Form PTO-1449

Immunex Corporation/SAS
Law Department
1201 Amgen Court West
Seattle, WA 98119
Tel: (206) 265-7000

Signed: Elizabeth M. McCarthy
Elizabeth M. McCarthy

Date: April 1, 2004

Application No. 09/972,268
RCE dated 01 April 2004
Response to Office Action of 03 Oct 2003

3101-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 09/972,268
Applicants: Peter R. Baum, William C. Fanslow III, Timothy E. Lofton,
Eric A. Sorensen, and Adel Youakim
Filed: October 5, 2001
Title: NECTIN POLYPEPTIDES

TC/Art Unit: 1644
Examiner: Maher M. Haddad

Docket No.: 3101-A

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

In response to the Office Action dated 03 October 2003 (the "Office Action"), please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

The Listing of Claims begins on page 5 of this paper.

Remarks and Arguments begin on page 12 of this paper.